

DECISION MEMO

Corn Lily (*Veratrum californicum*) Root Harvest
Lake Creek/Heber Mountain Area

USDA Forest Service
Heber Ranger District, Uinta National Forest
Wasatch County, Utah

Background

The Heber Ranger District of the Uinta National Forest has received a request to harvest corn lily (*Veratrum californicum*) roots for pharmaceutical research purposes in the Lake Creek/Heber Mountain area (Township 4S, Range 7E Sections 30 and 31 [Salt Lake Meridian], Township 1S, Range 11W, Sections 5 and 6 [Uintah Meridian]). Corn lily is a native plant, which is often aggressive and invasive in roadside areas and other areas of disturbance. It develops in thick stands which do not include much other native vegetation. It has been considered by some land managers to be a threat to native ecosystems. It has been studied in recent years and has been found to contain a promising chemical component that may be effective in treating cancer. The pharmaceutical company has applied for a permit from the Heber Ranger District of the Uinta National Forest to harvest roots of the corn lily from 10 distinct sites in the Lake Creek/Heber Mountain area in order to study the plant and evaluate the factors that possibly influence the presence of the active chemical and eventually grow it under artificial conditions. The location of the 10 sample sites are depicted on the attached map.

Proposed Action

Harvesting would be conducted among the different sites to limit the impact on a single area. The total area involved would be 1-4 total acres depending on the volume of root material present. Ground disturbance and harvest would occur in individual patches of dense corn lily and be less than 100 by 100 feet in size. A machine which undercuts roots and is used in commercial nurseries would be used along with some hand digging. The machine would maintain topsoil and not till the layers of soil, which would facilitate vegetative recovery. Straight lines or square segments would not be created, more random natural lines would be used in harvesting to lessen the visible area of disturbance and facilitate regrowth. All of the sites proposed for harvesting occur immediately adjacent to existing roads, and limited vehicle use would occur on treatment areas. Vehicles will stage along existing roads, and only the root cutting machine and a small conventional wheel tractor will be used on the treatment sites. Roots will be loaded onto an open trailer and transported off site. Digging and on-site activities will not be conducted when soils are wet to minimize unnecessary compaction and surface disturbance. In addition, confining digging to small units will limit any off-site surface flow of water when soils are initially exposed. Lifting and removal of plants would be expected to be completed from each site within 1-3 days depending upon weather and soil conditions. Additional hand digging may be required to remove some roots if the soil remains hard and roots are not freely separated. The disturbed areas will be seeded with an approved mix and corn lily

roots will be left to regenerate in the area. Seeding will be a mix of adapted native grasses and broadleaf herbs. Immediate reseeding with adapted perennial species will help prevent invasion of this weedy species. Few understory species grown in association with existing stands of corn lily, and it is necessary to plant a satisfactory assembly of plants at each site. Seeding will be completed using a small (five-foot) compact seeder that is drawn with a small wheel tractor.

Decision

I have decided to approve the proposed action and issue a Forest Products permit for this activity. A fee, to be determined, will be assessed based on the amount of material removed. This decision is based upon the following factors.

- The ground disturbing activities associated with this permit have been analyzed by an interdisciplinary team of resource specialists, and no long-term adverse effects are expected. Possible short-term term affects will be eliminated through the application of the following mitigation measures and Best Management Practices (BMPs) that will be included in a Monitoring Plan. This mitigation measures and BMPs will be closely adhered prior to, during, and after construction.
 1. Avoid harvesting plants from all intermittent, perennial, ephemeral streams or riparian areas. These are delineated in the maps of the Wetland Technical Report, Appendix B. Location of all streams and riparian areas will be established on-site prior to harvesting.
 2. Avoid harvesting or disturbance in all designated wetlands. Wetlands are identified in the maps of the Wetland Technical Report, Appendix B. Locations of all wetland boundaries will be established on-site prior to harvesting to assist in avoiding impacts.
 3. Prior to harvesting, erosion control measures consisting of biodegradable coil fiber rolls or weed-free straw “waddles” will be installed at the edge of the harvesting area between active drainage channels and wetlands. The perimeter control device should be installed parallel to the topographic contour along the downslope side of the disturbed area The tubing will be left in place to naturally decompose. Location of all erosion controls will be established on-site prior to harvesting.
 4. The seed mix will be submitted to the Heber Ranger District for approval prior to harvesting. Seeding will take place at each disturbed site within 1-3 days of harvesting.
 5. Vehicles and equipment will be staged at the side of existing roads so as not to impede normal road use by travelling public.
 6. All vehicles and equipment will be staged on existing roads and avoid trespassing Riparian Habitat Conservation Areas.

7. Limit the number of times vehicles or other equipment use the ford crossing of the active stream near IPI Site 1.

- No effects to threatened or endangered species will occur.
- No effects to Forest Service sensitive species or indicator species will occur.
- No effects to cultural resources or historic sites will occur.
- There are no floodplains at any treatment site.
- With implementation of appropriate erosion control, the proposed action would not impact water quality, and is in compliance with the Clean Water Act.
- The project will not generate pollutants and is in compliance with the Clean Water Act.

This action is categorically excluded from documentation in an environmental impact statement or an environmental assessment, because it meets the criteria identified in FSH 1909.15 Chapter 30, Section 31.2 – Categories of Actions for which a Project or Case File and Decision Memo Are Required, Item 3:

Approval, modification, or continuation of minor special uses of National Forest System Lands that require less than five contiguous acres of land.

The categorical exclusion is appropriate in this situation because there are no extenuating circumstances that may result in a significant individual or cumulative environmental effect. Extraordinary circumstances are those instances that could result in significant environmental effect to one or more of the following resource conditions, as described in FSH 1909.15-30.3, 2a-g.

FSH 1909.15, Section 30.3 lists the following as ‘extraordinary circumstances’:

- Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service Sensitive Species – The Forest Service has determined that the proposed action will not adversely affect any species or critical habitat listed or proposed for listing under the Endangered Species Act, or any species classified as Sensitive by the Intermountain Region of the Forest Service. Forest Service Sensitive species evaluated were those listed for the Uinta National Forest in the most recent list of *Intermountain Region Proposed, Endangered, Threatened, and Sensitive Species* (documentation contained in the project file).
- Floodplains, wetlands, or municipal watersheds – The Forest Service has determined that the proposed action will not adversely affect floodplains, wetlands, or municipal watersheds (documentation contained in the project file).

- Congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas – The project area does not occur in, and the proposed action will not have any direct, indirect, or cumulative impacts on congressionally designated areas, such as wilderness, wilderness study areas, or national recreation areas.
- Inventoried roadless areas (IRAs) – The project area does not occur in, and the proposed action will not have any direct, indirect, or cumulative impacts on any inventoried roadless areas. (IRAs are mapped in Appendix C to the Final Environmental Impact Statement [FEIS] for the 2003 Forest Plan.)
- Research natural areas – The project area does not occur in, and the proposed action would not have any direct, indirect, or cumulative impacts on any research natural areas. (RNA's are mapped in Appendix C to the FEIS for the 2003 Forest Plan.)
- American Indians and Alaska Native religious or cultural sites – The proposed action will not have any direct, indirect, or cumulative impacts on any American Indian religious or cultural sites (documentation contained in the project file).
- Archaeological sites, or historic properties or sites – The proposed action will not have any direct, indirect, or cumulative impacts on any archaeological sites, or historic properties or areas (documentation contained in the project file).

Public Involvement

A proposal to issue a Forest Products permit was provided to the public and other agencies for comment during scoping from September 17, 2007 to October 17, 2007. Additionally, the agency placed a legal notice in the Provo Daily Herald on September 16, 2007.

One comment letter was received from the Utah Environmental Congress. The specific comment and responses are provided in the following table.

COMMENT	RESPONSE
UEC is an interested party and would like to remain on the mailing list for the proposed action.	UEC will be included on the mailing list for this action.
Based on the description of the proposed action, UEC believes that the activity would not be permitted for multiple years.	It is unlikely that sufficient time exists to complete the sampling harvest prior to snow cover in 2007 so the activity may continue into fall of 2008.
UEC support for the proposed action is based on the condition that the specific areas approved for harvest are not located in wetlands and riparian zones.	The corn lily is a facultative wetland species, that is, it is generally associated with wetter conditions. The species is not obligate to wetlands, but does generally grow in sites with a hydrologic component. The harvest sites are not considered wetlands, but do have wetland components adjacent or as a mixed component

	within the site. Six of the sites are considered to be within Class 3 RHCA because of the proximity of tributary streams, intermittent streams, ephemeral channels, or wetlands. Three of the sites have wetlands at the harvest location. The mitigation measures provide for mapping and flagging of these sites on the ground and avoidance.
UEC support for the proposed action is based on the condition that the specific areas approved for harvest are not located in TES plant habitat and that the activity avoids all impacts to TES resource conditions.	No TES plants or plant habitat will be affected by the proposed action.
UEC support for the proposed action is based on the condition that the disturbed areas are seeded exclusively with certified weed-free, genetically approved native seeds.	Seeding will be a mix of adapted native grasses and broadleaf herbs. The mix will be certified weed-free, and will be approved by the District prior to harvest activities.

Findings Required by Other Laws

This decision is consistent with the 2003 Uinta National Forest Land and Resource Management Plan as required by the National Forest Management Act. The proposal is in conformance with Forest Plan standards and incorporates appropriate Forest Plan guidelines for the Deer Creek Reservoir Management Area (Forest Plan, pages 5-37 to 5-44) and the West Fork Duchesne Management Area (Forest Plan, pages 5-180 to 5-187).

Forest Wide Goal (FW-Goal-1) – Soil, air, and water resources provide for watershed health, public health and safety, long-term soil productivity, and ecosystem sustainability, and meet applicable laws and regulations.

Forest Wide Goal (FW-Goal-3) – Suitable commodity uses are provided in an environmentally sustainable and acceptable manner to contribute to the social and economic sustainability and diversity of local communities.

Forest Plan Standards and Guidelines for Aquatic and Riparian Habitat Management (Forest Plan pages 3-2 to 3-3) will be maintained.

Forest Plan Standards and Guidelines for Soil and Water Resource Management (Forest Plan pages 3-8 to 3-10) will be maintained.

Forest Plan Standards and Guidelines for Noxious Weed Management (Forest Plan pages 3-14 to 3-17) will be maintained.

Forest Plan Standards and Guidelines for Vegetation Management (Forest Plan pages 3-17 to 3-20) will be maintained.

Implementation Date

This project will be implemented immediately, as weather conditions permit.

Administrative Review or Appeal Opportunities

Pursuant to 36 CFR 215.12(f) this decision is not subject to administrative appeal.

Contact Person

For additional information concerning this decision contact:

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/s/ Julie K. King
JULIE K. KING

October 17, 2007
Date

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